

10/575383

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PC26154A

Confirmation No.

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

APPLICANT : Kazuo Ando, et al. EXAMINER :  
SERIAL NO. : ART UNIT :  
FILED : PAPER NO :  
FOR : 1-[2-(Hydroxyphenyl)-2-Hydroxyethyl]-Piperidin-4-ol Compounds As NMDA  
Receptor Antagonists

**Statement as Provided by 37 CFR 1.97(b)**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of the first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

It is requested that the references listed on the attached form PTO-SB-08A be included in the "References Cited" portion of any patent issuing from this application (MPEP § 1302.12).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. §1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.


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It is understood by the Applicants that this paper requires no fee; however, authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

Respectfully submitted,

Dated: 4/7/06

  
David R. Kurland  
Registration No. 41,505  
Pfizer, Inc.  
2800 Plymouth Road  
Ann Arbor, MI 48105  
Telephone: (734) 622-7304  
Facsimile: (734) 622-1553

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): Kazuo Ando, et al.			Docket No. PC26145A
Serial No.	Filing Date	Examiner	Group Art
Invention:  1-[2-(Hydroxyphenyl)-2-Hydroxyethyl]-Piperidin-4-ol Compounds As NMDA Receptor Antagonists			
I hereby certify that this <u>Patent Application Under 35 U.S.C. § 371</u> (Identify type of correspondence)			
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				Application Number	10/575383
				Filing Date	
				First Named Inventor	Kazuo Ando, et al.
				Art Unit	
				Examiner Name	
Sheet	2	of	3	Attorney Docket Number	PC26145A

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		S. BOYCE, et al., "Selective NMDA NR2B antagonists induce antinociception without motor dysfunction: correlation with restricted localisation of NR2B subunit in dorsal horn " Neurpharmacology, 199, pp 611-623, Vol. 38, No. 5	
		I CAVERO, et al., "Drugs that prolong QT interval as an unwanted effect: assessing their likelihood of inducing hazardous cardiac dysrhythmias", Expert Opinion on Pharmacotherapy, 2000, pp 947-973, Vol. 1, No. 5	
		K. FINLAYSON, et al., "[3H]Dofetilide binding to HERG transfected membranes: a potential high throughput preclinical screen", Euro J Pharmacology, 2001, pp 147-148, Vol. 430, No. 1	
		D. M. GRENNAN, et al., "Rheumatoid Arthritis", Textbook of Pain, 1994, pp 397-407	
		J. H. HOGUE, et al., "Pathophysiology and First-Line Treatment of Osteoarthritis", The Annals of Pharmacotherapy, 2002, pp 679-686, Vol. 36	
		J. LEVINE, et al., "Inflammatory Pain", Textbook of Pain, 1994, pp 45-56	
		C. MCCARTHY, et al., "Osteoarthritis", Textbook of Pain, 1994, pp 387-396	
		R. A. MEYER, et al., "Peripheral Neural Mechanisms of Nociception", Textbook of Pain, 1994, pp 13-55	
		M. J. MILLAN, et al., "The Induction of Pain: An Integrative Review", Progress in Neurobiology, 1999, pp 1-64, Vol. 57	
		C. J. WOOLF, et al., "Implications of Recent Advances in the Understanding of Pain Pathophysiology for the Assessment of Pain in Patients", Pain Supplement, 1999, pp S141-S147, No. 6	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				Application Number	10/575383
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				Art Unit	
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Sheet	3	of	3	Attorney Docket Number	PC26145A

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		C. J. WOOLF, et al., "Neuronal Plasticity: Increasing the Gain in Pain", Science, 2000, pp 1765-1768, Vol. 288	
		C. J. WOOLF, et al., "Neuropathic pain: aetiology, symptoms, mechanisms, and management", The Lancet, 1999, pp 1959-1964, Vol. 353, No. 9168	

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